

TUESDAY, MAY 15, 2001

A regular meeting of the Council of the City of Burbank was held at the Fire Training Center, 1845 North Ontario Street, on the above date. The meeting was called to order at 5:00 p.m. by Mr. Kramer, Mayor.

CLOSED SESSION

Present- - - - Council Members Golonski, Murphy, and Kramer.  
Absent - - - - Council Members Laurell and Ramos.  
Also Present - Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; and, Mrs. Elliot, Municipal Records Clerk.

Oral Communications There was no response to the Mayor's invitation for oral communications on Closed Session matters at this time.

5:01 P.M. Recess The Council recessed at this time to the Fire Training Center Conference Room to hold a Closed Session on the following:

- a. Conference with Legal Counsel – Existing Litigation:  
Pursuant to Govt. Code §54956.9(a)  
**Name of Case:** In the matter of the application of Burbank-Glendale-Pasadena Airport Authority – Administrative (Variance) Hearing conducted by Cal Trans.  
**Case No.:** OAH No. L-9701269  
**Brief description and nature of case:** Administrative review of Airport noise variance standards.
- b. Conference with Legal Counsel – Anticipated Litigation (City as possible plaintiff):  
Pursuant to Govt. Code §54956.9(c)  
**Number of potential case(s):** 2
- c. Conference with Legal Counsel – Anticipated Litigation (City as potential defendant):  
Pursuant to Govt. Code §54956.9(b)(1)  
**Number of potential case(s):** 2

Regular Meeting Reconvened in Council Chambers The regular meeting of the Council of the City of Burbank was reconvened at 6:30 p.m. by Mr. Kramer, Mayor.

Invocation The invocation was given by Reverend Ron Degges, Little White Chapel.

Flag Salute The pledge of allegiance to the flag was led by Mr. Barlow, City Attorney.

5/15/01

ROLL CALL

Present- - - -

Absent - - - -

Also Present -

Council Members Golonski, Murphy, Ramos and Kramer.

Council Member Laurell.

Mr. Ovrom, City Manager; Mr. Barlow, City Attorney; Ms. Alvord, Assistant City Manager; and, Mrs. Sarquiz, City Clerk.

301-1

Rex Andrews  
Police Scholar  
Award

Police Captain Bowers and Mayor Kramer presented the Rex Andrews Award to Police Officer Vivonnette Jones for her academic achievements. Ms. Kathryn Richards, representing the Rotary Foundation, presented a check to Officer Jones for educational assistance.

301-1

League of Calif.  
Cities Grassroots  
Network Update

Gary Milliman, Southern California Director of the League of California Cities, said that his office supports the 16 divisions in Southern California which encompasses a total of 221 cities, 86 of which belong to the Los Angeles County Division. He discussed that all cities in California are members of the League and noted a few of the following services provided to the cities: on-line research library, daily update of legislation supported/opposed by the League, education, professional development, and grass-roots coordinator network advocacy for specific legislation/issues affecting cities. He noted that the newly formed grass-roots network program will amount to an approximate \$6,800 dues increase to the City of Burbank.

301-1

Chamber  
Vocational  
Scholarship  
Program

Mr. Ramani, President of the Burbank Chamber of Commerce, announced that the Chamber was currently accepting applications for their Vocational Scholarship Program. He noted the importance of offering resources to students who plan to pursue a vocational career in lieu of attending a university. He encouraged Burbank students to contact the Chamber to find out about the Program.

6:56 P.M.

Hearing  
1602-11  
Preferential Pkg.  
On 100 blk. of  
North Naomi

Mayor Kramer stated that "this is the time and place for the hearing on the proposed preferential parking zone for the 100 block of North Naomi Street."

Notice  
Given

The City Clerk was asked if notices had been mailed as required by law. She replied in the affirmative. Mr. Feng, Public Works Director, also reported that the notices had been posted as

required by law. The City Clerk then advised that no written communications had been received.

Staff  
Report

Mr. Feng, Public Works Director, reported on the request for the City Council to resume the public hearing, continued from the January 9, 2001 meeting, for the establishment of a preferential parking zone on the 100 block of North Naomi Street in accordance with Section 29-1004 of the Burbank Municipal Code (BMC), and accept a status report of interim efforts to assist residents and commercial interests in working together to find alternative solutions and of the one hour parking restrictions posted as a temporary measure to alleviate some of the on-going impact.

He explained that residents and property owners of the 100 block of North Naomi Street, as well as nearby business owners along Olive Avenue, were twice invited to participate in a community meeting to work together to identify possible solutions. In addition, he said that Public Works staff conducted a separate administrative survey by mail in an effort to make a final determination regarding the required contact and approval rating minimums due to a petition dispute.

Mr. Feng discussed that the community meetings were fairly well attended and noted that Kevin McCarney, owner of Poquito Mas restaurant at 2635 West Olive Avenue, also attended the meetings and has assumed a proactive role in fostering a good neighbor policy with his staff, and to the extent possible, with customers frequenting his establishment by doing the following things: restaurant staff regularly go out into the neighborhood and clean up any trash, whether or not it is related to their patronage; restaurant staff has also been instructed to not park on the 100 block of North Naomi Street; Mr. McCarney has posted signs throughout the restaurant and the grounds of the property asking customers to be considerate of the nearby residents; provided unrestricted use of the handicapped space in his parking lot to the resident who initiated the petition for preferential parking, due to a hardship that parking difficulties pose in transporting her daughter; and, implemented an open-door policy, supplying contact phone numbers, and even inviting the residents to dinner at the restaurant to meet the new manager and discuss any on-going concerns.

Lastly, he said that since the issues prompting the petition for

5/15/01

the preferential parking zone have for the most part been resolved, alternative options have not been identified. Therefore, he noted that staff was recommending that the City Council direct staff to permanently establish one-hour restrictions in lieu of a preferential parking zone.

Citizen  
Comment

Appearing to comment were John Howard, owner of Viewport Images, stating the community meetings were helpful, stating the changes made by Poquito Mas have been helpful, and stating the one hour parking zone has been successful and asking for it to be maintained; Shari Pearce, stating the one hour zone has been successful and opposing a preferential parking zone; Kevin McCarney, owner of Poquito Mas, thanking the Public Works staff for the community meetings noting it has been helpful for neighborhood relations, and supporting the maintenance of the one hour parking zone; Johnny Magnus, opposing the one hour zone noting it is difficult to patron the restaurant in less than one hour, and asking why the matter was ever presented to the City as a problem; and Winifred Barmaki, stating she submitted the request for the preferential parking zone, and supporting the one hour zone noting it has been helpful.

Hearing  
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Motion

It was moved by Mrs. Murphy and seconded by Mr. Golonski that "the following resolution be passed and adopted:"

1602-11  
Deny Pref. Pkg.  
Zone and Estab.  
One hour  
Parking (100 blk.  
N. Naomi)

RESOLUTION NO. 26,001:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK DENYING A REQUEST FOR THE ESTABLISHMENT OF A PREFERENTIAL PARKING ZONE FOR THE 100 BLOCK OF NORTH NAOMI STREET AND ESTABLISHING A PERMANENT ONE-HOUR PARKING RESTRICTION THEREON.

Adopted

The resolution was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos and Kramer.  
Noes: Council Members None.  
Absent: Council Member Laurell.

7:08 P.M.  
Hearing  
1602-11  
Preferential Pkg.  
500 blk. N.  
Beachwood

Mayor Kramer stated that "this is the time and place for the hearing on the proposed preferential parking zone for the 500 block of North Beachwood Drive."

Notice  
Given

The City Clerk was asked if notices had been mailed as required by law. She replied in the affirmative. Mr. Feng, Public Works Director, also reported that the notices had been posted as required by law. The City Clerk then advised that no written communications had been received.

Staff  
Report

Mr. Feng, Public Works Director, reported on the request for the City Council to resume the public hearing, continued from the January 9, 2001 meeting, for the establishment of a preferential parking zone on the 500 block of North Beachwood Drive in accordance with Section 29-1004 of the Burbank Municipal Code (BMC), and accept a status report of interim efforts to assist residents and commercial interests in working together to find alternative solutions.

He explained that at the January 9, 2001 meeting, the City Council determined that preferential parking on the block would affect parking conditions for merchants in a significantly or materially adverse way so a final decision was deferred and staff was directed to facilitate dialogue between the residents and commercial interests to identify alternative solutions. He said that residents and property owners on the 500 block of North Beachwood Drive as well as nearby businesses were twice invited to participate in community meetings. He noted that alternative solutions to establishing a preferential parking zone are limited; however, some alternatives have been identified and are as follows: 1) Establish a preferential parking zone, with nine permits allocated to Century 21 to mitigate the adverse impact to their operation; 2) Century 21 proposes to replace the alley-adjacent residence with Code-compliant off-street parking at their expense, in-lieu of establishing a preferential parking zone; and, 3) Establish a preferential parking zone, in addition to Century 21's proposal to replace the alley-adjacent residence with Code-compliant off-street parking.

Mr. Feng concluded by stating that staff was recommending three things: 1) Direct staff to establish a preferential parking

5/15/01

zone, and seek Traffic and Transportation Committee approval to conditionally allocate nine (25 percent) permits to Century 21 to mitigate significant, adverse impact to their operation; 2) Provide feedback to Century 21 regarding their off-street parking proposal, so they may know to apply and pay for a conditional use permit; and, 3) Direct staff to revise BMC Section 29-1004 to incorporate formal review by the Traffic and Transportation Committee into the existing procedures for establishing preferential parking zones.

Citizen  
Comment

Appearing to comment were Tom Paul, Century 21, stating his business is supportive of the staff recommendation, however, noting this solution does not solve the problem entirely for the residential streets as cars will still park on the streets, and stating their desire to construct the parking lot on the first lot off the alley noting this will be a permanent and better solution; Jim Paul, Century 21, asking the Council for support to pursue the construction of the parking lot noting this will be the least disruptive solution for the neighborhood; Claudia Bonis, employee of Century 21, supporting the construction of a parking lot on the property off the alley, and stating the business' desire to work with the neighborhood; Ken Reed, resident of Sparks Street, on concern with safety in the neighborhood due to increasing traffic, and supporting the parking lot noting this process should occur prior to Century 21 receiving preferential parking permits; Mark Barton, stating his belief that people make parking too big of an issue noting they need to learn to park at a distance and walk to their destination; Mike Nolan, on the history with the parking in this area particularly related to the real estate business, and stating his belief that Century 21 has outgrown their current space and should seek alternative locations to establish their business; Laura Carrington, opposing the business constructing a parking lot on the site of a residential home near the alley, and stating the police do not enforce the two-hour parking zone on the street noting this may be helpful in resolving the parking problem; and Steven Shenar, stating his belief that there is not a parking problem on the street, noting the proposal for a parking lot seemed reasonable, and on the need to work with the business as it is an asset to the City.

Hearing  
Closed

There being no further response to the Mayor's invitation for oral comment, the hearing was declared closed.

Motion

It was moved by Mrs. Murphy and seconded by Mr. Golonski that "the following resolution be passed and adopted and that staff also be directed to revise BMC Section 29-1004 to

incorporate formal review by the Traffic and Transportation Committee into the existing procedures for establishing preferential parking zones, and to research the feasibility of angle parking in the area.

1602-11  
Establish Pref.  
Pkg. Zone (500  
blk. Beachwood)

RESOLUTION NO. 26,002:

A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK APPROVING THE ESTABLISHMENT OF A PREFERENTIAL PARKING ZONE FOR THE 500 BLOCK OF NORTH BEACHWOOD DRIVE.

Adopted

The resolution and staff direction was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos and Kramer.

Noes: Council Members None.

Absent: Council Member Laurell.

Reporting on  
Closed Session

Mr. Barlow reported on the items considered by the City Council and Redevelopment Agency during the Closed Session meetings.

Oral  
Communications

Mr. Kramer called for oral communications at this time.

Citizen  
Comment

Appearing to comment were Daniel Bocek, stating he applied for the Burbank Water and Power Board and noting his professional and personal experience that would be of benefit to the Board, and on his professional experience in conservation and referring to free items Burbank residents can take advantage of to conserve energy in their home; Claudia Bonis, stating she has applied for the Police Commission, and stating concern that some people do not apply for Boards and Commissions because they are concerned that the Council will not appoint them as they typically continue to appoint the incumbents, and on her experience in the community and noting her desire to contribute to the City; Lee Paysinger, supporting the Council's reappointment of Board of Library Trustees Board Members Cele Burke, Larry Johnson and Dorie Beaumont; Cele Burke, stating her experience on the Board of Library Trustees, and on her desire to continue on the Board, particularly to see the completion of the Buena Vista Library Branch; Don Elsmore, on concern with the City being able to meet a 10 percent reduction in energy consumption and

referring to his own conservation efforts, and on concern with the Airport Part 150 Study; Oscar Cabrera, resident of the 2100 block of Maple, noting concern with the noise from the Airport and stating the planes are flying very low and asking the Council for help, and on concern with gang members frequenting Pacific Park; Esther Espinoza, on concern with discrimination in the community and on several lawsuits filed by City employees against the City due to discrimination; Irma Loose, playing a tape recording of statements made at a previous Council meeting from students regarding oral communications, and stating her belief that the Council should encourage all participation from the audience; Mark Barton, on concern with an incident between two public audience members at this meeting, and suggesting a movie idea related to chicken feathers; Barbara Langford, on the neighborhood watch program in her neighborhood, and referring to an incident of gunfire in her neighborhood and thanking the Police for their response to this incident; Ted McConkey, asking for a periodic status report on the Airport litigation, stating the City employs a lobbyist to monitor legislation in Sacramento and on concern that the City Manager instructs the lobbyist and not the Council, asking whether the City Manager asked the lobbyist to oppose the McClintock bill which would place a cap on the utility users tax, and asking the City Manager to periodically report on the types of matters being supported/opposed by the City's lobbyist;

R. C. "Chappy" Czapiewski, on concern with the Council being selective on what speech is City business, and on a public records request he submitted on the Airport safety zone noting concern that the City response to his letter was not thorough and resubmitting his request; Fred Haas, on the benefits of the Electric Power Research Institute, and stating the City should look into nuclear power; Dr. Theresa Karam, on concern with a former member of the Toluca Terrace Woods Homeowners Association making uncomplimentary statements about her at last week's meeting and noting her belief that this person is a friend of Council Member Golonski and asking Mr. Golonski to publicly confirm his friendship with this person, and opposing any expansion of the Airport; Mike Nolan, on an article in USA Today in which the head of the Federal Aviation Administration (FAA) discusses federal funding of airport safety issues, and on concern that the AMC plans for the new theater do not meet Americans with Disabilities Act (ADA) standards and noting his belief that AMC will not obtain funding for the new project, and asking the Council to have a discussion on placing a cap on the utility users tax; and Howard Rothenbach, stating he attended the Toluca Lake Homeowners Association meeting this evening at which Assemblyman Dario Frommer said Caltrans will build



the soundwall along the 134 freeway in 2003 and asking the City to fund the portion of the soundwall in Burbank and stating he also referred to legislation that proposes a rebate to people who install solar energy and asking whether the City will also provide such a program, and asking whether the Southern California Public Power Authority will have ownership/control over the Magnolia Power Plant Project.

Staff Response Members of the Council and staff responded to questions raised.

9:10 P.M. Recess The Council recessed at this time. The meeting reconvened at 9:27 p.m. with the same members present.

Motion It was moved by Mrs. Murphy and seconded by Mr. Golonski that "the following items on the consent calendar be approved as recommended."

Minutes Approved The minutes for the special meeting of March 20, 2001 and the regular meetings of March 20, March 27, and April 3, 2001 were approved as submitted.

304-1  
1103  
1107  
Accepting  
Donation from  
AMC

RESOLUTION NO. 26,003:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK ACCEPTING A PLEDGE TO DONATE MONEY BY AMERICAN MULTI-CINEMA, INC. AND APPROVING AN AGREEMENT RELATED THERETO.

1009-1  
Revise Salary of  
Energy Trader/  
Scheduler

RESOLUTION NO. 26,004:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING THE SALARY SCHEDULE OF ENERGY TRADER/ SCHEDULER (CTC #0675).

1007-1  
1009-1  
Deputy City  
Manager-Capital  
and Special  
Projects to Asst.  
Public Works  
Director-Capital  
Projects

RESOLUTION NO. 26,005:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK REVISING AND RETITLING THE SPECIFICATION AND SALARY SCHEDULE OF DEPUTY CITY MANAGER – CAPITAL AND SPECIAL PROJECTS (CTC #0257) TO ASSISTANT PUBLIC WORKS DIRECTOR – CAPITAL PROJECTS (CTC #0076) AND PRESCRIBING CLASSIFICATION CODE NUMBER, SALARY AND SPECIFICATION THEREOF.

5/15/01

1007-1  
Fleet and  
Building Manager  
to Asst. Public  
Works Director –  
Fleet and  
Building

RESOLUTION NO. 26,006:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
REVISING AND RETITLING THE SPECIFICATION OF FLEET AND  
BUILDING MANAGER (CTC #0355) TO ASSISTANT PUBLIC  
WORKS DIRECTOR – FLEET AND BUILDING (CTC #0077).

1007-1  
Street and  
Sanitation  
Manager to  
Asst. Public  
Works Director –  
Street and  
Sanitation

RESOLUTION NO. 26,007:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
REVISING AND RETITLING THE SPECIFICATION OF STREET  
AND SANITATION MANAGER (CTC #0918) TO ASSISTANT  
PUBLIC WORKS DIRECTOR – STREET AND SANITATION (CTC  
#0078).

1007-1  
Traffic Engineer  
to Asst. Public  
Works Director –  
Traffic Engineer

RESOLUTION NO. 26,008:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
REVISING AND RETITLING THE SPECIFICATION OF TRAFFIC  
ENGINEER (CTC #0957) TO ASSISTANT PUBLIC WORKS  
DIRECTOR – TRAFFIC ENGINEER (CTC #0079).

1007-1  
1009-1  
City Engineer to  
Chief Asst.  
Public Works  
Director – City  
Engineer

RESOLUTION NO. 26,009:  
A RESOLUTION OF THE COUNCIL OF THE CITY OF BURBANK  
REVISING AND RETITLING THE SPECIFICATION AND SALARY  
SCHEDULE OF CITY ENGINEER (CTC #0699) TO CHIEF  
ASSISTANT PUBLIC WORKS DIRECTOR – CITY ENGINEER  
(CTC#0151) AND PRESCRIBING CLASSIFICATION CODE  
NUMBER, SALARY AND SPECIFICATION THEREOF.

Adopted

The consent calendar was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos  
(abstaining on minutes) and Kramer.  
Noes: Council Members None.  
Absent: Council Member Laurell.

1504  
Water Quality  
Update

Mr. Lantz, Burbank Water and Power Assistant General  
Manager, reported on the request from the City Council at the  
October 10, 2001 meeting for staff to begin providing weekly  
oral presentations updating the Council and public on  
Burbank’s water quality. Subsequently, he said the Council,  
at their March 13, 2001 meeting, directed staff to instead  
provide bi-weekly oral presentations.

He reported on the following activities that have taken place since the last report: water system tests for total chromium and chromium-6 were taken at various public buildings on May 9, 2001 and the results will be available in two weeks; and, aquifer testing of the Burbank Operable Unit will continue through May 2001.

Following discussion, the City Council directed staff to begin providing monthly updates on water and electric issues.

907  
Unclaimed  
Property

Police Captain Bowers reported that the Police Department is authorized by State Codes to dispose of unclaimed property in its possession if it is held 90 days or more, and has a value of \$500 or less. He said that if authorized by resolution, the Police Department may donate such property to a charitable or non-profit organization which is exempt from income tax, and which is authorized under its articles of incorporation to participate in a program or activity designed to prevent juvenile delinquency. He then noted that the proposed amendment to Burbank Municipal Code Section 9-405 would authorize the Burbank Police Department to make such donations, with each donation subject to approval by the City Manager or his or her designee.

Ordinance  
Introduced

It was moved by Mr. Golonski, seconded by Mrs. Murphy and carried with Mr. Laurell absent that "the following ordinance be introduced and read for the first time by title only and be passed to the second reading." The ordinance was introduced and the title read:

907  
Unclaimed  
Property

AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK AMENDING SECTION 9-405 OF THE BURBANK MUNICIPAL CODE RELATING TO DISPOSITION OF UNCLAIMED PROPERTY.

Ordinance  
Submitted

It was moved by Mr. Golonski and seconded by Mrs. Murphy that "Ordinance No. 3577 be read for the second time by title only and be passed and adopted." The title to the following ordinance was read:

5/15/01

1005  
1011-3  
Amend Contract  
With PERS

ORDINANCE NO. 3577:  
AN ORDINANCE OF THE COUNCIL OF THE CITY OF BURBANK  
AUTHORIZING AN AMENDMENT TO THE CONTRACT  
BETWEEN THE BOARD OF ADMINISTRATION OF THE  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND  
THE CITY OF BURBANK.

Adopted

The ordinance was adopted by the following vote:

Ayes: Council Members Golonski, Murphy, Ramos and  
Kramer.

Noes: Council Members None.

Absent: Council Member Laurell.

Public Comment

Mr. Kramer called for the second period of oral communications  
at this time.

Citizen  
Comment

Appearing to comment were Irma Loose, playing a video  
recording of statements made at a previous Council meeting  
regarding the City's hiring practices; Mark Barton, asking  
whether the City would consider a permit to film a movie  
scene on Olive Avenue that would place chickens on the  
street; Ted McConkey, stating the legal bills with the outside  
legal counsel for the Airport should be zero since staff is  
stating no activity is occurring regarding the Airport, and on  
concern that the City Manger directs the City's lobbyist and  
not the Council; Larry Applebaum, stating he has applied for  
the Planning Board, on his qualifications to serve on the  
Board, and asking the Council to favorably consider his  
application; Esther Espinoza, on concern with Airport noise  
and automobile accidents in front of her home, and on  
concern with lawsuits filed by City employees regarding  
discrimination; Howard Rothenbach, on concern with an  
opinion written by outside legal counsel related to the Restore  
Our Airport Rights initiative and asking whether the City is  
paying legal counsel to do work opposing the initiative and  
suggesting that if so, the City should also hire an attorney to  
write an opinion supporting the initiative; David Piroli, on  
concern with the Council conducting negotiations behind the  
scenes related to the Airport, and asking whether the City's  
lobbyist gives the City legislative updates and  
recommendations on legislation and what type of direction he  
is given by City staff; Mike Nolan, on the money spent by  
AMC thus far on their new project and stating his belief that a  
memorandum from staff stated that AMC said they need to  
redesign the project to meet new Americans with Disabilities  
Act standards and noting there were not any new standards  
to meet; and Ken Hoaglund, on nuclear power.

Staff Response Members of the Council and staff responded to questions raised.

Adjournment There being no further business to come before the Council, the meeting was adjourned at 10:08 p.m. to Wednesday, May 16, 2001, at 6:00 p.m. at the Fire Training Center, 1845 North Ontario Street, to conduct a Budget Study Session including discussion of the Budgets for the Public Works Department, Park, Recreation & Community Services Department, Community Development/Redevelopment, Information Technology Department and Management Services Department.

Judie Sarquiz, City Clerk

APPROVED JULY 17, 2001

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Mayor of the Council  
of the City of Burbank